



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

February 14, 2005

VIA HAND DELIVERY

Hon. Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

FEB 16 2005

LORETTA A. PRESKA
U.S. DISTRICT JUDGE
S. D. N. Y.

Re: United States v. Noorullah Zadran
S1 04 Cr. 1185 (LAP)

Dear Judge Preska:

Enclosed please find a copy of the superseding indictment returned by a grand jury earlier today. The Court has referred arraignment on this superseding indictment to Magistrate Judge Debra C. Freeman on Thursday, February 17, 2005, at 10:30 a.m. At the parties' last conference on December 13, 2004, the Court excluded time under the Speedy Trial Act between that date and February 25, 2005, for the purpose of allowing Mr. Zadran to file pre-trial motions and to allow the Government to respond to any such motions. Mr. Zadran filed motions on February 7, 2005, and the Government's response is due on February 25, 2005.

The parties jointly request that the Court schedule a pre-trial conference on March 14, 2005, at 4:00 p.m. to discuss whether any hearing is required on Mr. Zadran's motions. Furthermore, the parties jointly request that time under the Speedy Trial Act be excluded under 18 U.S.C. § 3161(h) through March 14, 2005, in order to allow the Court to consider Mr. Zadran's motions and the Government's response. Defense counsel, Armani Scott, Esq., consents to this request.

So ordered

Loretta A. Preska,

USDC

February 17, 2005

Respectfully submitted,

DAVID N. KELLEY
United States Attorney

By:

Stephen A. Miller
Assistant United States Attorney
(212) 637-2210

cc: Armani Scott, Esq. (via overnight delivery)